

KEPPEL OPP'N EXH. 49

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
Case No. 18-cv-01047 (PGG)

EIG ENERGY FUND XIV, L.P.,
EIG ENERGY FUND XIV-A, L.P.,
EIG ENERGY FUND XIV-B, L.P.,
EIG ENERGY FUND XIV (CAYMAN), L.P.,
EIG ENERGY FUND XV, L.P.,
EIG ENERGY FUND XV-A, L.P.
EIG ENERGY FUND XV-B, L.P.
EIG ENERGY FUND XV (CAYMAN), L.P.

10 | Plaintiffs,

11 - against -

12 KEPPEL OFFSHORE & MARINE LTD.,

Defendant.

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* * * CONFIDENTIAL * * *

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VIRTUAL ZOOM DEPOSITION

17

AZIZ MERCHANT

18

July 2, 2021

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Reported By:

23

Erica Ruggieri, CSR, RPR

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Job No.: 4662393

25

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1 **MERCHANT - CONFIDENTIAL**

2 fuzzy on my end. I can hear you,
3 like I can hear what you are saying
4 but maybe just lean in a little
5 bit.

6 Q. Can you hear me better now?

7 A. Yes.

8 Q. Have you ever been deposed
9 before, Mr. Merchant?

10 A. I don't understand what you
11 mean deposed. Can you talk a bit
12 slower? I mean you are talking too
13 fast and it's muffling.

14 Q. Have you ever been a
15 witness in a deposition before?

16 A. No. This is my first time.

17 Q. Have you ever given sworn
18 testimony before?

19 A. No.

20 Q. What did you do to prepare
21 for this deposition?

22 A. Yesterday I had a session
23 with my counsel.

24 Q. Who was present?

25 A. David and Brent.

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2 Q. Was anyone else there?

3 A. I think it was Madeleine
4 Xu.

5 Q. Have you spoken to anyone
6 else besides your lawyers before
7 this deposition?

8 A. No.

9 Q. Where were you born and
10 raised, Mr. Merchant?

11 A. I was born Singapore and
12 raised in Singapore.

13 Q. What is your educational
14 background?

15 A. I have a Master of Science
16 in architectural engineering from UC
17 College London. And I also have a
18 Bachelor of Engineering in naval
19 architecture and ocean engineering
20 from University of Glasgow,
21 Scotland.

22 Q. Where did you work after
23 completing your education?

24 A. So after completing my
25 education I work for Keppel FELS.

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2 That was in 1993.

3 Q. What roles have you had at
4 Keppel FELS?

5 A. My roles in Keppel FELS
6 have all been technical. So in 1993
7 I join as a graduate engineer. And
8 then roses, then became a technical
9 manager.

10 Q. When did you become a
11 technical manager?

12 A. I can't remember. It must
13 be sometime around 1995.

14 Q. And what is Keppel FELS?

15 A. Keppel FELS is another unit
16 of Keppel Offshore & Marine that
17 does rig building.

18 Q. Were you promoted from your
19 position as technical manager at
20 Keppel FELS?

21 A. Okay. So what happened was
22 that after in 19, if I'm not
23 mistaken '97, '98 I left Keppel FELS
24 to join the American Bureau of
25 Shipping in London as a principal

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2 engineer. After as my role as a
3 technical manager in Keppel FELS.
4 And then I return back in 2001 to
5 Keppel FELS as general manager of
6 engineering.

7 Q. How long did you have that
8 title for?

9 A. How long I had this title
10 for. I had this title for the last,
11 I can't recall it myself, for the
12 last 14 years. 14 or 15 years.

13 Q. Were you promoted to
14 executive director of engineering?

15 A. Yeah. That was basically
16 2012, 2013. I was promoted to
17 executive director of engineering.

18 Q. What is your title today?

19 A. Today I'm part of a
20 technology unit under Keppel
21 Offshore Marine called Keppel Marine
22 & Deepwater Technology where I'm the
23 executive director responsible for
24 clean energy technology and
25 autonomous solutions.

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2 Q. When did you cease holding
3 the title of executive director of
4 engineering?

5 A. Okay. I mean this is just
6 based on my memory. In 2013.

7 Q. Why did you change
8 positions at Keppel?

9 A. Okay. So what happened was
10 that there was a change -- in a
11 sense that we needed to bring new
12 blood in basically, I mean younger
13 group of people. So we started to
14 bring people up as part of research
15 and planning. And I was basically
16 going back to technology from my
17 role -- of course, I came from a
18 technology unit within the '90s,
19 went to engineering and then went
20 back to technology. So after my
21 2013, 2014 I was given a role in
22 technology.

23 Q. Which Keppel entity are you
24 employed by?

25 A. I'm employed by Keppel

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2 FELS.

3 Q. Have you always been
4 employed by Keppel FELS?

5 A. Yes.

6 Q. Is Keppel FELS a subsidiary
7 of Keppel Offshore & Marine Limited?

8 A. Yes.

9 Q. And if I refer to that
10 company as KOM will you understand
11 what I'm referring to?

12 A. Yes.

13 Q. Does the management of
14 Keppel -- withdrawn.

15 Does the management of KOM
16 direct the activities of Keppel
17 FELS?

18 A. Can you repeat the
19 question? I mean --

20 Q. Does the management of KOM
21 direct the activities of Keppel
22 FELS?

23 A. Yes, yes. Not on a daily
24 basis from strategically, from
25 strategy.

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2 STATE OF NEW YORK)
3 ss.:
4 COUNTY OF NEW YORK)
5

6 I, ERICA L. RUGGIERI, RPR and a
7 Notary Public within and for the State
8 of New York, do hereby certify:

9 That I reported the proceedings
10 in the within-entitled matter, and
11 that the within transcript is a true
12 record of such proceedings.

13 I further certify that I am not
14 related by blood or marriage, to any
15 of the parties in this matter and
16 that I am in no way interested in the
17 outcome of this matter.

18 IN WITNESS WHEREOF, I have
19 hereunto set my hand this 2nd day of
20 July, 2021.

21
22 *Erica Ruggieri*
23

24 ERICA L. RUGGIERI, RPR, CSR, CLR
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